



02-23-00

SECTOR 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Elazar Rabbani et al.)
Serial No. 09/439,594)
Filed: November 12, 1999)
Title: NOVEL SPECIFIC TARGET NUCLEIC ACID)
DETECTION AND AMPLIFICATION)
PROCESSES, AND COMPOSITIONS USEFUL)
FOR PRODUCING ONE OR MORE COPIES)
OF SPECIFIC TARGET NUCLEIC ACID)
SEQUENCES)

Group Art Unit: 1634

Examiner: Not Yet Known

#3
527 Madison Avenue, 9th Floor
New York, New York 10022
February 22, 2000

FILED BY EXPRESS MAIL

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

BEST AVAILABLE COPY

COMMUNICATION IN RESPONSE TO DECEMBER 20, 1999
NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)

Dear Sirs:

Applicants submit this Communication In Response To December 20, 1999 Notice To File Missing Parts Of Application (Filing Date Granted), a copy of which is attached and identified as Exhibit A, in which Applicants were requested to submit a properly signed oath or declaration in compliance with 37 CFR 1.63.

It is hereby requested that the Declaration For Patent Application filed in connection with the parent application, serial no. 09/104,067, filed on June 24, 1998, be made of record in the instant patent application, serial no. 09/439,594. A copy of the aforementioned Declaration is attached and identified as Exhibit B.

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No. EL522278695US	
Deposit Date	February 22, 2000
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
Ronald C. Fedus Reg. No. 32,567	FEB 22 2000 Date



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NO./TITLE
ENZ-504-1211

09/439,594 11/12/99 RABBANI

0242/1220

NOT ASSIGNED

RONALD C PEDUS ESQ
ENZO DIAGNOSTICS INC
C/O ENZO BIOCHEM INC
527 MADISON AVENUE 9TH FLOOR
NEW YORK NY 10022

BEST AVAILABLE COPY

1634

DATE MAILED:

12/20/99

NOTICE TO FILE MISSING PARTS OF APPLICATION**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
 small entity (statement filed) non-small entity is \$ 130.

1. The statutory basic filing fee is:

missing.
 insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement.
claiming such status (37 CFR 1.27).

2. The following additional claims fees are due:

\$ _____ for total claims over 20.

\$ _____ for independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

~~11/12/99~~ ~~11/12/99~~ ~~11/12/99~~

3. The oath or declaration:

is missing.
 is signed.

does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

John Bell
Customer Service Center

Initial Patent Examination Division (703) 308-1202



JCT 3

Please date stamp and return to addressee.

APPLICANT:	Elazar Rabbani et al.	<input checked="" type="checkbox"/> Express Mail Label No. EM366566372US mailed 4/19/99
NOVEL PROCESSES FOR AMPLIFYING NUCLEIC ACID, POST TERMINATION LABELING PROCESS FOR NUCLEIC ACID SEQUENCING AND PRODUCING NUCLEIC ACID HAVING DECREASED THERMODYNAMIC STABILITY		
ENCLOSED ARE:		
<input type="checkbox"/> Application <input type="checkbox"/> Response to OA <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Amendment Re Sequence Listing <input type="checkbox"/> Drawings <input type="checkbox"/> Issue Fee <input type="checkbox"/> Assignment <input type="checkbox"/> Other (see below) Petition To Revive; Assignment & Recordation Form; Declaration For Patent Application; Verified Statement <input type="checkbox"/> Re Small Entity Status; Communication Re Notice To File Missing Parts; Amendment in Connection <input type="checkbox"/> With Sequence Listing and Declaration relative thereto; Serial No. 09/104,067 <input type="checkbox"/> _____ Docket No. ENZ-58		

Please date stamp and return to addressee.

APPLICANT:	Elazar Rabbani et al.	<input checked="" type="checkbox"/> Express Mail Label No. EM366566372US mailed 4/19/99
NOVEL PROCESSES FOR AMPLIFYING NUCLEIC ACID, POST TERMINATION LABELING PROCESS FOR NUCLEIC ACID SEQUENCING AND PRODUCING NUCLEIC ACID HAVING DECREASED THERMODYNAMIC STABILITY		
ENCLOSED ARE:		
<input type="checkbox"/> Application <input type="checkbox"/> Response to OA <input checked="" type="checkbox"/> Declaration <input checked="" type="checkbox"/> Amendment Re Sequence Listing <input type="checkbox"/> Drawings <input type="checkbox"/> Issue Fee <input type="checkbox"/> Assignment <input type="checkbox"/> Other (see below) Petition To Revive; Assignment & Recordation Form; Declaration For Patent Application; Verified Statement <input type="checkbox"/> Re Small Entity Status; Communication Re Notice To File Missing Parts; Amendment in Connection <input type="checkbox"/> With Sequence Listing and Declaration relative thereto; Serial No. 09/104,067 <input type="checkbox"/> _____ Docket No. ENZ-58		



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